



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

A G E N D A

October 10, 2005

Commissioner Tom Moss, Chairman
Commissioner Joe Ford, Chairman Pro Tempore
Commissioner Marilyn Loeffel
Commissioner George Flinn
Commissioner John Willingham
Commissioner Walter Bailey, Jr.
Commissioner Julian T. Bolton

Commissioner Deidre Malone
Commissioner Michael Hooks
Commissioner Cleo Kirk
Commissioner Joyce Avery
Commissioner David Lillard
Commissioner Bruce Thompson

1:30 P.M.

COMMISSION CONVENES

CALL TO ORDER

Deputy Sheriff Clayton Maclin

INVOCATION

Dr. Tom Lindberg
First Assembly of God

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Sessions

WILLINGHAM
ADOPTED

August 22, 2005
September 26, 2005

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

LOEFFEL
ADOPTED

1. Resolution in honor of Dr. Sheldon B. Korones, pioneer in neonatal intensive care.

Ordinances

Zoning and Subdivisions

**FORD
ADOPTED
(A-B)**

3. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.

Reports and/or Resolutions of Standing Committees

**KIRK
ADOPTED**

4. Resolution approving the sale of fourteen delinquent tax parcels from Tax Sale(s) 0002, 42, 83.1, 92.1, 94.4, 95.2, 97.4, and 99.1 pursuant provisions of the Tennessee Code Annotated 67-5-2507.

**KIRK
ADOPTED**

5. Resolution to increase the mileage reimbursement for use of personal vehicles to 40 cents per mile.

**AVERY
ADOPTED**

6. Resolution amending a contract to Standard Construction Company for the FY 2004/2005 Asphalt-Concrete Surfacing Program, Phase 1 Area 1, in the amount of \$73,953.23.

**LILLARD
(DEFERRED
TO 10/24/05)**

7. Resolution establishing a limited program to maintain county owned properties in the New Chicago neighborhood of Memphis and Shelby County.

**AVERY
ADOPTED**

8. Resolution amending a contract to Standard Construction Company for the FY 2004/2005 Asphalt Concrete Surfacing Program, Phase 1 Area 2, in the amount of \$159,275.01.

**LILLARD
ADOPTED**

9. Resolution authorizing the mayor to execute an agreement with the State of Tennessee Department of Transportation for the purpose of providing an understanding between the parties of their respective obligations related to the management and funding for the Preliminary Engineering Phase of Fite Road improvements from U.S. Highway 51 (SR-3) to Woodstock Boulevard in Shelby County and appropriating funds in the amount of \$250,000.00 from the 2005-2006 Budget for CIP Project Number 100118, Fite Road.

**AVERY
ADOPTED**

10. Resolution amending the FY 2005/2006 Operating Budget to appropriate grant funds for the expansion of treatment and services for Shelby County Detainees with Co-occurring Disorders and approving a sub-grant agreement

**AVERY
ADOPTED**

12. Resolution to approve a grant agreement indicating acceptance of a grant award from the State of Tennessee, Department of Military, Tennessee Emergency Management Agency, to the Memphis and Shelby County Health Department in the amount of \$293,405.00 for the purpose of sustaining and maintaining Homeland Security for the citizens of Memphis and Shelby County for the period August 1, 2005 – March 31, 2006, and amending the FY 2005/2006 Operating Budget to establish one (1) new budget.

**THOMPSON
ADOPTED**

13. Resolution amending the FY 2005/2006 Byrne Grant budget of the Office of the District Attorney General for the West Tennessee Violent Crime and Drug Task Force to permit the transfer of funds from Operations and Maintenance to Personnel expenditures (\$380,000.00 grant).

**THOMPSON
ADOPTED**

14. Resolution to approve acceptance of a grant from the U.S. Office of Justice Programs to Shelby County Government under the 2005 Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$1,207,212.00 for the purpose of supplementing law enforcement and crime prevention programs in Memphis and Shelby County.

**THOMPSON
ADOPTED**

15. Resolution amending FY 2006 Operating Budget for the Shelby County Division of Corrections to transfer funds from contracted services to personnel accounts and to amend the Position Control Budget.

**THOMPSON
ADOPTED**

16. Resolution approving the contract in the annual amount of \$127,859.22 and the expenditure of funds hereby appropriated in the amount of \$95,894.42 from FY 2005/2006 Operating Budget to Precision Professional Cleaning Services to cover the period of October 1, 2005 to June 30, 2006, at the Shelby County Jail.

**THOMPSON
ADOPTED**

17. Resolution amending the FY 2005/2006 Operating Budget to allow full expenditure of the remaining grant proceeds in the amount of \$70,709.00 awarded by the State of Tennessee Department of Transportation – Governor's Highway Safety Office for the Metro Youth DUI Unit Project.

**THOMPSON
ADOPTED**

18. Resolution amending the FY 2005/2006 Operating Budget to allow full expenditure of the remaining grant proceeds in the amount of \$28,040.00 awarded by State of Tennessee Department of Transportation – Governor's Highway Safety Office for the Police Traffic Services program.

THOMPSON

19. Resolution amending the FY 2005/2006 Operating

FORD
ADOPTED

21. Resolution to amend contract in the amount of Eighty Thousand Dollars (\$80,000.00) between Shelby County Government and the City of Memphis on behalf of the Memphis and Shelby County Division of Planning and Development relative to coordination and financial reimbursement of transportation planning activities in the Memphis Urban Area.

FLINN
ADOPTED

22. Resolution approving the transfer of title of four parcels of Homestead Program property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and Resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985, authorizing the implementation of the Shelby County Homestead Program.

MALONE
ADOPTED

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

FORD
ADOPTED

23. Resolution approving the county mayor's nomination of John Oros for reappointment to the Memphis and Shelby County Convention Center Commission.

FORD
ADOPTED

24. Resolution approving the county mayor's nomination of Jack H. Morris for appointment to the Shelby County Healthcare Corporation.

Ordinances

Zoning and Subdivisions

FORD
FAILED

25. **CASE NO. S.U.P. 05-205 CC**
APPLICANT: Edward T. Grinder

LOCATION: West side of Houston Levee Road; +/-
998 feet south of Macon Road.

REQUEST: Drive-In Restaurant

Memphis and Shelby County Office of Planning and
Development recommendation:
APPROVAL WITH CONDITIONS, CONTINGENT UPON

**FORD
ADOPTED**

26. **CASE NO. S.N.C. 05-801 CO**
APPLICANT: Memphis International Motorsports Corporation
- LOCATION:** Beginning on the north side of Fite Road and extending approximately 3,500 feet northwardly there from
- REQUEST:** Change Name to Victory Lane
- Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL SUBJECT TO CONDITIONS
- Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL SUBJECT TO CONDITIONS
- (No notice of public hearing or notice letters to interested property owners required since there was no opposition at the Land Use Control Board.)

**FORD
(DEFERRED
TO 11/21/05)**

27. **CASE NO. Z 05-114 CC**
APPLICANT: Hillard, Boyson & Tribble
- LOCATION:** Extending from the northern terminus of Hunter's Glade Lane to the eastern terminus of Callie Manor Drive
- REQUEST:** Taking property out of the Agricultural (AG) Use District and including it in the Single Family Residential (R-S15) Use District
- Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL
- Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL
- (Notice of public hearing published in the Daily News on Friday, September 30, 2005.)

**FORD
(DEFERRED
TO 10/24/05)**

28. **CASE NO. Z 05-112 CC**
APPLICANT: Patton & Price
- LOCATION:** Southwest corner of Billy Maher Road and Rennslaer Drive
- REQUEST:** Single Family Residential (R-S8) District

Reports and/or Resolutions for Standing Committees

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| WILLINGHAM
(DEFERRED
TO 10/24/05) | 29. Resolution approving release of funds to the new Memphis Arena Public Building Authority of Memphis and Shelby County from swap proceeds custodial account for settlement of legal claims and payment of administrative expenses. |
| MALONE
ADOPTED
AS AMENDED | 30. Resolution establishing a moratorium on the acceptance of applications for planned developments and subdivisions involving new residential construction, and applications for administrative site plan review of multiple family dwellings, in unincorporated Shelby County for a period of six months. |
| MALONE
ADOPTED | 31. Resolution approving commissioners to the respective Standing Committees and Delinquent Tax Parcel Committee. |
| THOMPSON
ADOPTED | 32. Resolution approving Commissioner Joyce Avery to serve as the Commission representative on the sponsoring government's board for the Aging Commission of the Mid South. |
| MALONE
ADOPTED | 33. Resolution approving the appointment of Commissioner Marilyn Loeffel and Commissioner Walter Bailey to the Center City Commission. |
| THOMPSON
ADOPTED | 34. Resolution approving the appointment of Commissioner Tom Moss to the Board of Chickasaw Basin Authority. |
| AVERY
ADOPTED | 35. Resolution approving Commissioner Deidre Malone in the place and stead of the Chairman, and Commissioner John Willingham as Chairman of the Public Service and Tourism Committee, to serve on the <i>Convention Center Commission</i> . |
| KIRK
ADOPTED | 36. Resolution appointing Commissioner Julian Bolton and Commissioner Bruce Thompson to serve as designated representatives on the <i>PILOT Evaluation Committee</i> of the Memphis and Shelby County <i>Industrial Development Board</i> . |

38. Notification from County Mayor of various appointments, reappointments to boards, commissions, and offices of Shelby County Government.
- a. Resolution approving the county mayor's nomination of David D. McCray for appointment to the Memphis and Shelby County Groundwater Control Board.
 - b. Resolution approving the county mayor's nomination of Eddie F. Carter, Jr., John S. Shepherd, and Roland P. Taylor for reappointment to the Memphis and Shelby County Board of Adjustment.

Adjournment

**THOMPSON
ADOPTED**

39. Resolution of Adjournment to October 24, 2005, at 1:30 p.m.

AGENDA # 3
DATE October 10, 2005

3A

SUBDIVISION: DAVIES MANOR SUBDIVISION (S 05-007 CC)

DEVELOPER: MANOR VIEW, LLC

**ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE
THE IMPROVEMENTS TO THE DAVIES MANOR SUBDIVISION
(S 05-007 CC) AND AUTHORIZE RECORDING OF THE PLAT**

**LOCATION: SOUTHWEST CORNER OF DAVIS PLANTATION ROAD AND
DAVIES MANOR DRIVE**

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3B

SUBDIVISION: LOST CREEK P.D. (P.D. 04-381 CC)

DEVELOPER: TERELAY, LLC

**ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE
THE IMPROVEMENTS TO LOST CREEK P.D. (P.D. 04-381 CC)
AND AUTHORIZE THE RECORDING OF THE PLAT WHEN
BONDING PROCEDURES HAVE BEEN FULFILLED**

**LOCATION: WESTERN TERMINUS OF DEXTER GROVE DRIVE; ±277.53
FEET WEST OF APPLING ROAD.**

[For questions regarding the Agenda, please call Steve Summerall at 545-4301.]